

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

1. W.A. DREW EDMONDSON, in his)
capacity as ATTORNEY GENERAL OF)
THE STATE OF OKLAHOMA and)
OKLAHOMA SECRETARY OF THE)
ENVIRONMENT C. MILES TOLBERT,)
in his capacity as the TRUSTEE FOR)
NATURAL RESOURCES FOR THE)
STATE OF OKLAHOMA,)

Plaintiff,)

vs.)

05-cv-329-TCK-SAJ
Order re: Dk. No. 251

1. TYSON FOODS, INC.,)
2. TYSON POULTRY, INC.,)
3. TYSON CHICKEN, INC.,)
4. COBB-VANTRESS, INC.,)
5. AVIAGEN, INC.,)
6. CAL-MAINE FOODS, INC.,)
7. CAL-MAINE FARMS, INC.,)
8. CARGILL, INC.,)
9. CARGILL TURKEY PRODUCTION,)
LLC,)
10. GEORGE'S INC.,)
11. GEORGE'S FARMS, INC.,)
12. PETERSON FARMS, INC.,)
13. SIMMONS FOODS, INC., and)
14. WILLOW BROOK FOODS, INC.,)

Defendants,)

TYSON FOODS, INC., TYSON)
POULTRY, INC., TYSON CHICKEN,)
INC., COBB-VANTRESS, INC.,)
GEORGE'S INC., GEORGE'S FARMS,)
INC., PETERSON FARMS, INC.,)
SIMMONS FOODS, INC., and WILLOW)
BROOK FOODS, INC.)

Third-party Plaintiffs,)

vs.)

1. CITY OF TAHLEQUAH, et al.,)
)
 Third-Party Defendants.)

ORDER

The above-entitled matter comes before the Court regarding Third Party Defendant, Barbara L. Kelley d/b/a Diamond Head Resort's Unopposed Motion for Extension of Time to Move or Plead [Docket Entry 251]. Based upon review of the pleadings and that the Motion in unopposed, Third Party Defendant, Barbara L. Kelley d/b/a Diamond Head Resort's Unopposed Motion for Extension of Time to Move or Plead is **GRANTED**. Defendant has until April 28, 2006 in which to file its initial motion or pleading in response to the Third Party Complaint.

Dated: April 11, 2006.

Terence Kern

TERENCE KERN
United States District Judge